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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

LARISSA WHITE, an individual,

Plaintiff,

vs.

CITY OF TURNER POLICE CHIEF DON
TAYLOR; by and through the CITY OF
TURNER POLICE DEPARTMENT, a
political subdivision of TURNER, OREGON,

Defendants.

Case No. 6:18-cv-00550-MK

**UNOPPOSED MOTION FOR LEAVE
FOR PLAINTIFF TO FILE
SUPPLEMENTAL PLEADING IN
RESPONSE TO DEFENDANTS'
MOTIONS FOR SUMMARY
JUDGMENT**

The parties, through counsel, have conferred on this motion pursuant to LR 7 and counsel for the Defendants have indicated they have no opposition to this motion.

Plaintiff previously filed a response to Defendants' motions which included the declaration of associate counsel Emerson Lenon. The declaration contained two improper paragraphs which Defendants have objected to. The paragraphs contained statements of fact summarizing certain documents. By mistake the documents

summarized were not included with the filing. The Plaintiff requests paragraphs 2 and 3 of the Declaration of Emerson Lenon, ECF # 88 be struck and a supplemental declaration of Larissa White in support of Plaintiff's response be entered by the court. Said declaration of Larissa White is being filed concurrently with this motion.

The summaries in question were based on documents provided in discovery by Defendant Don Taylor consisting of his timesheets and Mobile Data Terminal (MDS) logs. Those documents are attached to the Declaration of Larissa White as Exhibits A and B, filed concurrently. Additionally, there is a factual statement based on a document created by Sergeant Smith attached as Exhibit C. The court may note Daniel E Thenell, lead counsel for the Plaintiff, was absent on his honeymoon when the response and declaration were filed and was not able to correct this error prior to filing.

By agreement, the parties have filed this motion and have further agreed to extend Defendant's deadline to reply by fourteen (14) days from February 3 to February 17.

DATED this 31st day of January 2020

THENELL LAW GROUP, P.C.

Filed By: /s/ Daniel E. Thenell
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